

IN THE DISTRICT COURT OF THE UNITED STATES
MIDDLE DISTRICT OF PENNSYLVANIA

Michael Miller

Petitioner,

v.

COUNTY OF LANCASTER, ET. AL.,

Respondents.

CIV. NO: 1:24-CV-00014

**MOTION TO ENTER AN ORDER ON RESPONDENTS' MOTIONS TO
DISMISS WITHOUT FURTHER DELAY**

On January 4, 2024, Michael Miller, filed a verified Petition for Declaratory Judgment (Doc. 1). On February 1st and February 9th, respondents each filed motions to dismiss the Petition. These motions and their opposition are fully briefed and before the court for more than 30 days. FRCP 1 requires that FRCP 12(a)(4) be “construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination and proceeding”.

WHEREFORE, Petitioner moves the court to take up these motions on or before **May 1, 2024** and to enter the attached Order by **May 1, 2024**.

Respectfully Submitted:

/s/ Michael Miller

Michael Miller

108 N. Reading Rd, Ste F, 246

Ephrata, PA 17522

(717) 388-0163

reaganfive@protonmail.com

Date: April 16, 2024

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COUNTY OF LANCASTER, ET. AL.,

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ORDER

On January 4, 2024, Michael Miller filed a verified Petition (Doc. 1) into the District Court of the United States, Middle District Court of Pennsylvania. The Petition alleges a controversy with a state agency and a political subdivision that arises under the Constitution and which grants this court subject matter jurisdiction. The Petition also raises a constitutional challenge to the state's law for accessing public records. The Petition states a claim for declaratory judgment upon which the court can grant relief. Therefore, Respondents' motions to dismiss for failure to state a claim and lack of subject of matter jurisdiction must be, and are, DENIED. Respondents have 14 days from the date of this order to file responsive pleadings to the General Factual Allegations in the Petition.

So ordered this ____ day of _____, 2024.

Jennifer P. Wilson

Jennifer P. Wilson

United States District Judge

CERTIFICATE OF NON-CONCURRENCE

I hereby certify that I sought the concurrence of respondents, Office of Open Records and County of Lancaster in this motion. Both respondents indicated they took no position in this motion.

Respectfully Submitted:

/s/ Michael Miller

Michael Miller

108 N. Reading Rd, Ste F, 246

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Date: April 16, 2024

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served by e-filing a true and correct copy of the foregoing document to the following:

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Respectfully Submitted,

/s/Michael Miller
Michael Miller
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Dated: April 16, 2024